IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jun FUJIKAMI, et al.

Title:

METHOD OF

MANUFACTURING

SUPERCONDUCTING WIRE

Appl. No.:

10/569,829

International

2/17/2005

Filing Date:

371(c) Date:

02/28/2006

Examiner:

Cazan, Livius Radu

Art Unit:

3729

Confirmation 5400

Number:

TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Your Petitioner, SUMITOMO ELECTRIC INDUSTRIES, LTD., having its principal place of business at 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka, 541-0041 JAPAN, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/569,829, filed 02/28/2006, which claims priority from International Patent Application No. PCT/JP2005/002413, filed 2/17/2005, by virtue of an Assignment filed and recorded on March 29, 2006, on Reel/Frame 017405/0168, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/568,537, filed February 17, 2006, by virtue of an Assignment filed and recorded on December 27, 2007, on Reel/Frame 020308/0734, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, SUMITOMO ELECTRIC INDUSTRIES, LTD., hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application No. 10/569,829 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/568,537, and hereby agrees that any patent so granted on U.S. Patent Application No. 10/569,829 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application No. 10/568,537 shall be the same as the legal title to any patent granted on U.S. Patent Application No. 10/569,829, this agreement to run with any patent granted on U.S. Patent Application No. 10/569,829 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application No. 10/569,829, prior to the full statutory term of any patent granted on U.S. Patent Application No. 10/568,537 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application No. 10/568,537 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application No. 10/568,537 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application No. 10/569,829 that would extend beyond the present termination of any patent granted on U.S. Patent Application No. 10/568,537, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application No. 10/569,829 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application No. 10/569,829, and duly authorized to act on behalf of Petitioner, certifies that he has

reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application No. 10/569,829 and any patent granted on U.S. Patent Application No. 10/568,537 rests with Petitioners, SUMITOMO ELECTRIC INDUSTRIES, LTD. . The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Ву

Respectfully submitted

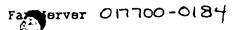
FOLEY & LARDNER LLP

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Ted R. Rittmaster Attorney for Applicants Registration No. 32,933

Appendix A





UNITED STATES PATENT AND TRADEMARK OFFICE

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DAVID A. BLUMENTHAL FOLEY & LARDNER LLP WASHINGTON HARBOUR 3000 K STREET, N.W., SUITE 500 WASHINGTON, D.C. 20007-5143

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RECORDATION DATE: 03/29/2006

REEL/FRAME: 017405/0168

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: 017700-0184

ASSIGNOR:

FUJIKAMI, JUN

DOC DATE: 11/18/2005

ASSIGNOR:

KATO, TAKESHI

DOC DATE: 11/28/2005

ASSIGNEE:

SUMITOMO ELECTRIC INDUSTRIES, LTD. 5-33, KITAHAMA 4-CHOME, CHUO-KU OSAKA-SHI, OSAKA, 541-0041, JAPAN

SERIAL NUMBER: 10569829

FILING DATE:

ISSUE DATE:

PATENT NUMBER: TITLE: METHOD OF MANUFACTURING SUPERCONDUCTING WIRE 4 08 1:24 PAGE 003/004 Faggerver

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ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

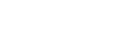
Sumitomo Electric Industries, Ltd. name and Osaka 541-0041 of 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, address of assignee (hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to Method of Manufacturing Superconducting Wire title of invention as set forth in this United States Patent Application check one executed concurrently herewith executed on X Serial No.10/569829 Filed 02-28-06

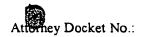
in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;





Each of the undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS			
Name: Jun FUJIKAMI	Signature: Jan Fajikanini	Date: Nov. 18 2005	
Name: Takeshi KATO	Signature: Jakeshi Kate	Date: Nov. 18 2005 Date: Nov. 28. 2005	
Name:	Signature:	Date:	
NAMES AND SIGNATURES OF WITNESSES			
Name:	Signature:	Date:	
Name:	Signature:	Date:	

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Appendix B

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TO: TED R. RITTMASTER COMPANY: FOLEY & LARDNER, LLP



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JANUARY 03, 2008

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TED R. RITTMASTER FOLEY & LARDNER, LLP 555 SOUTH FLOWER SUITE 3500 LOS ANGELES, CA 90071-2411

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RECORDATION DATE: 12/27/2007

REEL/FRAME: 020308/0734

NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FUJIKAMI, JUN

DOC DATE: 11/18/2005

ASSIGNOR:

KATO, TAKESHI

DOC DATE: 11/18/2005

ASSIGNEE:

SUMITOMO ELECTRIC INDUSTRIES, LTD. 5-33, KITAHAMA 4-CHOME, CHUO-KU OSAKA-SHI, OSAKA, JAPAN 541-0041

SERIAL NUMBER: 10568537

FILING DATE: 02/17/2006

ISSUE DATE:

PATENT NUMBER: TITLE: METHOD OF MANUFACTURING SUPERCONDUCTING WIRE **ÚSPTO**

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TO: TED R. RITTMASTER COMPANY: FOLEY & LARDNER, LLP

020308/0734 PAGE 2

ASSIGNMENT SERVICES BRANCH PUBLIC RECORDS DIVISION





ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and Sumitomo Electric Industries, Ltd.

address of of 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0041

assignee Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of Method of Manufacturing Superconducting Wire invention

as set forth in this United States Patent Application

check one executed concurrently herewith

executed on

Serial No. 10/568,537 Filed: February 17, 2006

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;



Each of the undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAM	MES AND SIGNATURES OF INVENTORS	
Name: Jun FUJIKAMI	Signature: Ju Trj: Kourn	Date: Nov. 18, 2005
Name: Takeshi KATO	Signature: July katr	Date: Na. 28. 2005
Name:	Signature:	Date:
NA	MES AND SIGNATURES OF WITNESSE	S
Name:	Signature:	Date:
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